

Remarks

Claims 1, 5, 14, 17, 26, 31, and 51-58 are amended, claim 50 is canceled, and claims 59-64 are added. Claims 1-3, 5-8, 11-12, 14, 16-17, 19-22, 24, 26-28, 30-44, 47-49, and 51-64 are pending.

Amended claims 1, 14, 26, 53, and 58 are supported by originally-filed claims 1, 4, 14 and 26.

Amended claims 5 and 17 are supported by originally-filed claims 5 and 17, respectively.

Amended claims 31 and 55 are supported by originally-filed claims 4 and 31, and at page 6, lines 17-21.

Amended claim 51 is supported by originally-filed claim 5.

Amended claim 52 is supported by page 4, lines 24-26 of the specification.

Amended claims 54 and 57 are supported by originally-filed claims 1 and 26, respectively, and at page 3, line 26, page 28, lines 10-11, and Tables 2-3 in the specification.

Amended claim 56 is supported by page 6, lines 17-21 of the specification.

New claims 59-60 are supported at page 4, lines 16-19 of the specification.

New claims 61-62 are supported by originally-filed claims 1 and 4, and at page 3, lines 25-28, and page 4, lines 3-5 of the specification.

In the Decision on Appeal, the Board reversed the rejection of claims 1-8, 11-12, 14, 16-17, 19-22, 24, 26-28, 30-44, and 47-58 under § 112(1) and the rejection of claims 4-6, 19-20, 33-34, 37-44, 47-48, 50-51, 54, and 56-57 under § 103(a) over Oliver et al. (WO 97/35472). Claim 4, which was dependent on claim 1 at the time of the Appeal, is directed to a cryopreservation medium containing arabinogalactan, a biological or functional equivalent thereof, a cryoprotective agent that penetrates the cell membrane, and freshly isolated lymphocytes, hematopoietic stem cells or lymphocytes which are modified *ex vivo*. Independent claims 1, 14, 26, 31, 53, 55, and 58 are amended to incorporate the subject matter recited in claim 4.

Therefore, the pending claims are in condition for allowance and notification to that effect is respectfully requested.

Respectfully submitted,

ALLISON HUBEL,

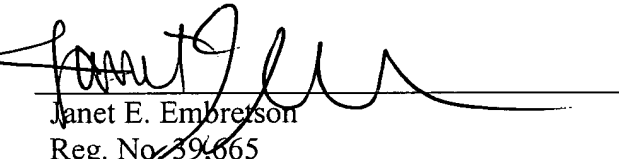
By her Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER &
KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6959

Date

April 27, 2005

By


Janet E. Embretson
Reg. No. 39,665

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 27th day of April, 2005.

Name

Dawn M. Poole

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Dawn M. Poole